



ST. ONGE STEWARD JOHNSTON & REENS, LLC
986 BEDFORD STREET
STAMFORD CT 06905-5619

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OFFICE OF PETITIONS

In re Patent No. 7,125,882
Issued October 24, 2006
Application No. 10/768,769
Filed: January 30, 2004
Attorney Docket Number: 00961-P0146C

ON PETITION

This is a decision on the petition, filed February 22, 2007, under 37 CFR 3.81(b)¹ to correct the assignee's name on the front of the Patent.

The petition is **GRANTED**.

The petition, claims that assignment data was included in the PTOL-85B filed June 7, 2006 when in fact no assignment should have been supplied as the present application remained unassigned at the time. Accordingly, petitioner requests that a certificate of correction be issued to remove the assignment information on the front page of the Letters Patent.

37 CFR 3.81(b), effective June 25, 2004, reads:

After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17(i) of this chapter.

Office assignment records reflect that at the time the issue fee was paid, there was no assignment but instead a security agreement had been given to UNION BANK OF CALIFORNIA and that a subsequent assignment was recorded, after the payment of

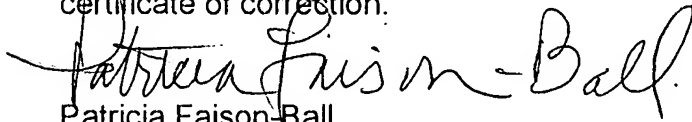
¹ See Official Gazette of June 22, 2004

the issue fee. Accordingly, as the request complies with the provisions of 37 CFR 3.81(b), it would be appropriate for a certificate of correction to issue.

The petition fee in the amount of \$130.00 has been charged to petitioner's credit card and per the authorization in the petition, the fee for the certificate of correction has been charged to petitioner's deposit account no. 19-4516.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-3212. Any questions concerning the issuance of a certificate of correction should be directed to the Certificates of Correction Branch at (703) 305-8309.

This file is being referred to the Certificates of Correction Branch for issuance of a certificate of correction.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style with a large initial "P".

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions